

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ANTONIO ONATE JR., on behalf of himself
and all others similarly situated,

Plaintiffs,

-against-

AHRC HEALTH CARE, INC.,

Defendant.

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JENNIFER E. WILLIS, United States Magistrate Judge:

For the reasons stated more fully on the record during the parties' December 12, 2022 discovery conference, the Court rules as follows as to documents on FORVIS's privilege log:

1. The 11/12/2020 document (Exhibit C of Defendant's in camera review submission) is not protected by attorney client privilege because FORVIS does not share a common legal interest with Defendant. The document is also not protected by work product privilege because it was not prepared by or at the direction of counsel.
2. The 1/20/2021 document (Exhibit A of Defendant's in camera review submission) is protected by the work product privilege because it was prepared by Defendant's counsel in anticipation of litigation or for trial. The document is not protected by attorney client privilege because it was shared with Siegel Agency.
3. The 6/15/2021 document (Exhibit B of Defendant's in camera review submission) is not protected by attorney client privilege because it was shared with Siegel Agency. Rows that state that the "Source" is "BKD & Jackson Lewis" are protected by work product privilege because they were prepared in anticipation of litigation or for trial. Rows that state that the "Source" is only "BKD" are not protected by work product privilege.

SO ORDERED.

Dated: New York, New York
December 12, 2022


JENNIFER E. WILLIS, U.S.M.J.